

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

**FABIAN SANTIAGO,**

Plaintiff,

V.

**SGT. CHILDERS, et al.,**

Defendant.

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Civil No. **05-512-MJR-CJP**

**ORDER**

**PROUD, Magistrate Judge:**

Before the Court is plaintiff Santiago's motion seeking reconsideration of the Court's September 15, 2008, order (Doc. 118) denying his fourth motion for appointment of counsel (Doc. 108). **(Doc. 127).** Plaintiff reiterates his difficulties in serving now-dismissed (without prejudice) defendant Childers, difficulties identifying the "John Doe" defendants, and the complexity of the case, given that he is incarcerated. Plaintiff also essentially contends that the multiple rulings against him demonstrate that he cannot litigate this case without appointed counsel.

Plaintiff has not indicated any legal error, nor has he made any truly new argument that was not considered and addressed by the Court's previous order. Plaintiff simply disagrees with the Court's ruling. The Court stands by its order denying the appointment of counsel. Therefore, the subject motion for reconsideration (Doc. 127) is denied.

Plaintiff's motion for reconsideration includes a request that the "John Doe" defendants be reinstated and that additional time be allotted in order to serve them with summons and the complaint. Plaintiff notes that, pursuant to a Court order, he is being afforded an opportunity to

view photographs of prison staff and he may be able to identify the “John Doe” defendants. By order dated September 15, 2008 (Doc. 114), the Court explained in detail that, although plaintiff would be allowed to view staff photographs, plaintiff would not be granted leave to amend his complaint to identify the “John Doe” defendants. Plaintiff has still not identified any “John Doe” defendant, so his request for reconsideration of the denial of his request to amend the complaint is premature.

**IT IS THEREFORE ORDERED** that the subject motion (**Doc. 127**) is **DENIED** in all respects.

**DATED: October 6, 2008**

**s/ Clifford J. Proud**  
**CLIFFORD J. PROUD**  
**U. S. MAGISTRATE JUDGE**